

REMARKS

INTRODUCTION

In accordance with the foregoing, claim 2 has been cancelled, claims 1, 3, 6, 7, 12, 15, and 17 have been amended. No new matter is being presented, and approval and entry are respectfully requested.

Claims 1 and 3-17 are pending and under consideration. Reconsideration is respectfully requested.

ENTRY OF RESPONSE UNDER 37 C.F.R. §1.116

Applicants request entry of this Rule 116 Response and Request for Reconsideration because:

(a) it is believed that the amendment of claims 1, 3, 6, 7, 12, 15, and 17 puts this application into condition for allowance;

(b) the amendments of claims 1, 3, 6, 7, 12, 15, and 17 should not entail any further search by the Examiner since no new features are being added or no new issues are being raised; and/or

(c) the amendments do not significantly alter the scope of the claims and place the application at least into a better form for appeal. No new features or new issues are being raised.

The Manual of Patent Examining Procedures sets forth in §714.12 that "[a]ny amendment that would place the case either in condition for allowance or in better form for appeal may be entered" (Underlining added for emphasis). Moreover, §714.13 sets forth that "[t]he Proposed Amendment should be given sufficient consideration to determine whether the claims are in condition for allowance and/or whether the issues on appeal are simplified." The Manual of Patent Examining Procedures further articulates that the reason for any non-entry should be explained expressly in the Advisory Action.

OBJECTION TO THE TITLE

In the Office Action at page 2, numbered item 4, the title was objected to as not being descriptive. In view of the amended title set forth above, which was recommended by the Examiner, the outstanding objection to the title should be resolved.

CLAIM OBJECTIONS

Claims 2, 3, 6, 7, and 14-16 were objected to by the Examiner at page 3 of the outstanding final Office Action. Claim 2 has been cancelled and the subject matter of claim 2 has been incorporated into the independent claims, with appropriate corrections. Claims 3, 6, 7, and 15 have been amended to correct informalities in the claims. Claims 14 and 16, which were also objected to, have not been amended. However, claim 12, from which claims 14 and 16 depend, has been amended to provide proper antecedent support. In view of the amendments to the claims, the outstanding objections to the claims should be resolved.

ALLOWABLE SUBJECT MATTER

In the Office Action at page 13, numbered item 19, the Examiner indicated that claims 7-11 contain allowable subject matter. As previously indicated, claim 7 has been amended to resolve the Examiner's objections. Accordingly, Applicants respectfully submit that claims 7-11 are in condition for allowance.

In the Office Action at page 14, numbered item 20, the Examiner indicated that claim 2 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims and alleviating all objections. Applicants respectfully submit that the subject matter of dependent claim 2, with appropriate corrections to alleviate all objections, has been incorporated into independent claims 1, 12, and 17. As the features taught by former dependent claim 2 are not taught or suggested by the prior art, Applicants respectfully submit that amended independent claims 1, 12, and 17 now also patentably distinguish over the prior art and are in condition for allowance.

REJECTION UNDER 35 U.S.C. §103

In the Office Action at pages 4-13, numbered items 7-18, claims 1, 3-6, and 12-17 were rejected under 35 U.S.C. §103(a) as being unpatentable over published Japanese Patent Application JP 05-145813 A by Isokawa in view of published Japanese Patent Application JP 04-257459 A by Nakai, et al. The reasons for the rejection are set forth in the Office Action and therefore not repeated. The rejection is traversed and reconsideration is requested.

Independent claims 1, 12, and 17 have been amended to incorporate the features previously found in dependent claim 2, which the Examiner has indicated as allowable. In view of these amendments to the independent claims, Applicants respectfully submit that these

objections are moot and claims 1, 3-6, and 12-17, which now patentably distinguish over the prior art for the same reasons as allowable dependent claim 2, are in condition for allowance.

CONCLUSION

In accordance with the foregoing, it is respectfully submitted that all outstanding objections and rejections have been overcome and/or rendered moot. And further, that all pending claims patentably distinguish over the prior art. Thus, there being no further outstanding objections or rejections, the application is submitted as being in condition for allowance which action is earnestly solicited. At a minimum, this Amendment should be entered at least for purposes of Appeal as it either clarifies and/or narrows the issues for consideration by the Board.

If the Examiner has any remaining issues to be addressed, it is believed that prosecution can be expedited and possibly concluded by the Examiner contacting the undersigned attorney for a telephone interview to discuss any such remaining issues.

If there are any underpayments or overpayments of fees associated with the filing of this Amendment, please charge and/or credit the same to our Deposit Account No. 19-3935.

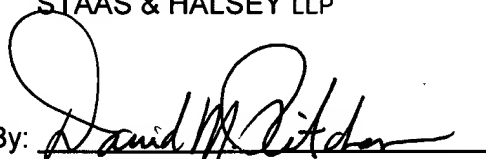
Respectfully submitted,

STAAS & HALSEY LLP

Date:

March 22, 2005

By:


David M. Pitcher
Registration No. 25,908

1201 New York Ave, N.W., Suite 700
Washington, D.C. 20005
Telephone: (202) 434-1500
Facsimile: (202) 434-1501